

Part 2 -- Remarks

This Amendment and Response is responsive to the office action mailed March 31, 2003. In that office action, claims 1, 2, 6 and 8 were objected to because of informalities; claims 1, 3 and 4 were rejected under 35 U.S.C. 102(e) as anticipated by Chooi (6,284,657); claims 2 and 5 were rejected under 35 U.S.C. 103(a) as obvious over Chooi in view of Conboy (5,904,487) and Bhardwaj (6,051,503); claims 6, 7, 9 and 10 were rejected under 35 U.S.C. 102(e) as anticipated by Chooi; claims 8 and 11 were rejected under 35 U.S.C. 103(a) as obvious over Chooi in view of Conboy and Bhardwaj.

Reconsideration of these objections and rejections is respectfully requested, with respect to the pending claims 1-11.

Claim Objections

Regarding the objections to claim 1, line 6 and claim 6, line 11, "carbon-tetrafluorite" has been changed to the correct spelling "carbon-tetrafluoride."

Regarding the objections to claim 2, lines 17-18, and claim 8, lines 27-29, "in the resulting combination flow" has been added to indicate that the ratio applies to the combination of the etch chemical and the selectively enhancing chemical.

These amendments are believed to resolve the objections.

Anticipation Rejection

The rejection states that the application has been examined under the provisions of Section 102(e) prior to passage of the American Inventors Protection Act (AIPA). However, this application was filed on August 13, 2001 which is after the effective date of November 29, 2000 of the AIPA. To the extent relevant, it is believed this application should be examined under the AIPA.

Reconsideration of the rejection of amended claims 1, 3, 4, 6, 7, 9 and 10 under 35 U.S.C. 102(e) as anticipated by Chooi is respectfully requested.

In the manner set forth, amended claims 1 and 6 require etching an exposed silicon carbide layer from the underlying copper layer using a combination flow of an

etch chemical and a selectively enhancing chemical. The copper layer 10 in Chooi has a passivation layer 12 formed on it that is apparently silicon nitride or BLOK. See column 5, lines 30-31; column 7, lines 58-60; column 9, lines 37-38. Chooi therefore describes removing a silicon nitride or BLOK passivation layer, while the amended claims describe removing a silicon carbide layer, among other things.

Accordingly, claims 1 and 6 recite subject matter that does not appear to be disclosed by Chooi, and therefore claims 1 and 6 should not be anticipated by Chooi. Moreover, the dependent claims 3, 4, 7, 9 and 10 are not anticipated by Chooi because they incorporate the limitations of claims 1 and 6.

#### Obviousness Rejections

Claims 2, 5, 8 and 11 should be patentable in conjunction with amended claim 1 from which they depend, and for other reasons.

#### Conclusion

As a result of the amendments and remarks set forth above, it is believed that all pending claims in this application are in condition for allowance. Allowance is respectfully requested. The Examiner is requested to contact the undersigned by telephone to discuss any issues which may inhibit the immediate allowance of the claims.

Respectfully submitted,

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